

BOARD OF FORESTRY AND FIRE PROTECTION

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**MINUTES
BOARD OF FORESTRY AND FIRE PROTECTION
AND FISH AND GAME COMMISSION
JOINT MEETING
May 3 and 5, 2005
Sacramento, California**

**FULL BOARD OF FORESTRY MEETING
May 3, 2005**

BOARD OF FORESTRY MEMBERS PRESENT:

Stan Dixon, Chairman
Mark Bosetti
Gary Rynearson
David Nawi
Nancy Drinkard

BOARD MEMBER ABSENT:

Kirk Marckwald, Vice Chair

BOARD STAFF:

George Gentry, Executive Officer
Eric Huff, Executive Officer, Foresters Licensing
Chris Zimny, Regulations Coordinator
Mark Hite, Committee Staff
Laura Estrada, Executive Assistant

DEPARTMENTAL STAFF:

Dale Geldert, Director, Forestry and Fire Protection
Duane Shintaku, Assistant Deputy Director, Forest Practice,
Forestry and Fire Protection

CALL TO ORDER

Chairman Dixon called the May 2005 meeting of the Board of Forestry and Fire Protection to order.

APPROVAL OF MINUTES

Chairman Dixon reported that the April minutes will be ready for approval at next months Board meeting.

CONSENT CALENDAR

There was nothing to report.

REPORT OF THE CHAIRMAN

There was nothing to report.

REPORT OF THE DIRECTOR

Mr. Dale Geldert, Director of the California Department of Forestry and Fire Protection (CDF), went over three items. The first was a presentation on the Hills Emergency Forum, which he will be presenting later on in the day. Director Geldert went over the Budget Process. The Department is currently working on the May revisions. They are working with the Department of Finance and the Governor's Office and the Agency Secretary on finalizing the budget details.

At this time the Department is working on two BCP's, (Budget Change Proposals). The first one is on apparatus to replace old engines with new ones. The Department will also be putting some reports together on their "air assets" and plan out the replacement of the Department's aircraft. The second request is for "year around" staffing. It is putting a number of engines in the counties of Riverside, San Bernardino and San Diego. The purpose of this is fire protection, because those counties are still considered a volatile area. The Department has put together a Pre-Fire Management/Pre-Fire Engineering Fuels Management Program. It's a pilot program that is so new that staff has not told the Director the name of the program at this time.

The Director went over a program that Mr. Bill Snyder had some time ago. His team gathered field inspectors as a team. The idea was to get CDF, Department of Fish and Game and Water Quality to collaborate in the same offices, ride together in cars and make joint inspections and share training and work together in the field. The Director felt that they would be much more productive if they all worked as a team together. Chief Geldert has directed the Chief Deputy Director to fully implement that program.

REPORT OF THE CALIFORNIA OAK MORTALITY TASK FORCE (COMTF)

Ms. Katie Palmieri went over the Oak Mortality report, which was included in the Board folders.

Additionally, she went over task force training.

REPORT OF FEDERAL AGENCIES; INCLUDING USDA FOREST SERVICE, NATIONAL MARINE FISHERIES SERVICE, US FISH & WILDLIFE SERVICE, AND US ENVIRONMENTAL PROTECTION AGENCY

Mr. Mike Chapel, U.S. Forest Practice, distributed a handout regarding Mr. Jack Blackwell's announcement to retire forty years after starting work with the Forest Service. Mr. Bernie Weingardt will lead Forest Service's California Region following Mr. Blackwell's decision to retire.

REPORT OF STATE AGENCIES; INCLUDING STATE WATER QUALITY CONTROL BOARD, DEPARTMENT OF FISH AND GAME, GEOLOGIC SURVEY

Nothing to report.

DISCUSSION REGARDING THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) AND MANAGEMENT PLAN FOR JACKSON DEMONSTRATION STATE FOREST (JDSF)

Mr. Gentry reported that the Department had additional sections sent to the Board's Sub Committee a week ago and only a few sections are left for completion.

They are in the process of going through some of their final revisions. Those sections that are pending are Wildlife and Cumulative Effects sections. According to Mr. Russ Henley, those items are expected to be completed in two weeks. Once they are done the Department will go through these in Committee. Mr. Gentry reported that the Committee would reconvene for a meeting sometime in the month to discuss the document and its disposition. In addition, a special meeting will convene for the Board members in June to reconsider the release of the ADEIR as the draft DEIR.

REPORT OF THE DIRECTOR (CONT)

Fire Chief Dennis Rein and Fire Chief Mark Scott gave a presentation on the Hills Emergency Forum as a model of Regional Collaboration for Urban Wildland Interface Fire Mitigation. Handouts were distributed to Board members. The Power Point Presentation focused on HEF (Hills Emergency Forum), and what has made the Forum work at both a policy and project level. The focus was also on how the group has maintained its viability over the past twelve years, projects and programs undertaken by the HEF to further regional wildland fire mitigation and steps necessary to develop similar programs in other areas.

Chief Rein reported that HEF is a consortium created to provide a leadership structure to facilitate a broad and cooperative approach among eight local governing organizations for fire prevention mitigation, suppression and emergency planning.

Additionally Chief Rein went over what HEF does, and the organizational structure.

DISCUSSION OF FOREST PRACTICE COMMITTEE RECOMMENDATIONS REGARDING LARGE, OLD, OR HERITAGE TREES

Member Ryneanson reported that he is acting as Chair of this Committee and went over a letter that was received from the law office of Sharon Duggan regarding the content of the Board's Heritage Tree Proposal. Mr. Zimny briefed the Board on the contents of the letter from Ms. Duggan and distributed a copy of this letter to Board members and went over the final recommendations. It was recommended that the Board take the initial steps of defining old and heritage trees and stands. Ms. Duggan recommend that the Board direct CDF to rescind its March 2, 2005 Memorandum and issue instead a clear guidance document that requires (1) discrete disclosure of the existence of heritage and old trees and stands, (2) unique characteristics, (3) proposed operations, and (4) evidence supporting and RPF determination as to impact from operations. She further said that each of those four criteria must be separately satisfied so that all who participate in the review of a given THP can be provided adequate and equal information upon which to review and comment.

Member Ryneanson went over the Committee's five recommendations:

1. Definition of Old Growth: The Committee felt that there is no definition of old growth nor did the Committee find it useful at this time to try and define it. Additionally, the term heritage tree was set aside and the discussion was focused on full growth and large oak trees.
2. Disclosure requirements related to significant impacts to large old trees or old growth trees: CDF to prepare a letter and bring it back to the Board of Forestry for discussion. There was also support for the Board of Forestry to work with Licensed Foresters Association and other organizations.
3. Earlier disclosure of large old, or old growth trees having significant or unique characteristics: The Board will encourage early consultation with the Department of Fish and Game to regarding trees with high biological values present and go back to the guidance letter from the Department of Forestry to inform RPF/CDF/DFG's expectations regarding content of the Harvesting Plan.
4. Maximizing incentives: Recommended coordinating with the Department of Forestry and appropriate State Agency Departments to develop information resources to distribute to timberland owners and RPF's in support of various programs to support conservation efforts. The Board will encourage the financial supported programs in support of conservation of large oak trees.

5. Areas for improvement or change: The Board will implement the recommendations stated above and the Board of Forestry will evaluate its effectiveness of these recommendations within twelve months.

Member Bosetti commented that the Board has spent a lot of time on this and said it might help to hear additional comments that the public may have relative to what the Board has in place at this time.

Member Nawi commented that having considered this issue over the past several months on the Policy and Management Committee, he is aware of how difficult some of the issues are. He agreed with Member Bosetti in hearing from the members of the public and discuss the Committee's recommendations and any other concerns.

Chairman Dixon asked if there was anyone from the Department that had any thoughts on this process.

Mr. Duane Shintaku, Assistant Deputy Director, Forest Practice commented that he would be happy to answer any questions the Board members may have. Additionally, he said that they have been having these discussions for the past year in a half and ultimately they wrote the guidance memo recognizing that they were going to highlight CEQA principles that may have been overlooked in the past by the review team's staff as well as consulting foresters. He also said that they recognized that it probably would not satisfy the petitioner. He went over Ms. Duggan's letter relevant to this discussion.

Member Nawi asked Mr. Shintaku that in the Committee's report on issue # two, there was an indication that CDF had provided numerous examples of large oak trees or old oak trees that have been addressed by RPF's and THP's. Member Nawi asked if it was the majority of THPs.

Mr. Shintaku said that examples came from the Southern Forest district, the Northern Forest district and Deputy Chiefs from Fresno, Redding and Santa Rosa. He asked them to compile examples with CDF and specifically address large old tree issues as they surfaced during plan review.

There was further discussion.

Public Comment

Mr. Kevin Collins, Lompico Watershed Conservancy, went over the definition example regarding the diameter at breast height. He said that the Department and the Board have an obligation because of their responsibility to consider the effect on wildlands and also have an obligation to make a regulation requiring disclosure of stands.

Mr. Kent Stromsmoe, Forests Forever, indicated that they have concerns on contents of the Committee report and the memo from Ms. Duggan. He said it seems as though there exists a continual disregard for obligation of CDF as lead agency on considering the social effects of cutting large oak trees. They feel that RPF's are competent in identifying large old trees and should do so. The determination should be made with public input. He does not feel that public input is being included or facilitated in either the report or the memo.

Mr. Adrian Miller, Pacific Lumber, indicated that what he felt has come out of the Committee on this issue is there is perception that RPF's and landowners are not disclosing large old trees either in groups or as individuals. Preserving large old trees is part of the equation. The Board has to remember it's also important to continue to grow large old trees and incorporate them into the landscape. Regulating the diameter limit will create a disincentive. He also indicated that there is a positive way of looking at this issue and CDF's memo is a positive reminder to all on the importance of this issue.

Mr. Richard Gienger reported that there have been many documents generated through the discussions of large, old or heritage trees. He went over advance disclosure and indicated that it has not been achieved by the Board. Mr. Gienger indicated that the recommendations show small steps regarding the issues.

Additionally, he went over Ms. Duggan's points in her letter. Ultimately he feels that the Board needs to re-examine CDF's guidance on what they feel is an adequate policy. He felt that the Board should request CDF to redraft the letter

Mr. Paul Mason, Sierra Club said that the CDF memo simply summarizes the existing state of affairs that are listed in the memo. He does not think it is as useful as what petitioners would like to see. It would be more useful if the Board directed the Department in the process of timber harvest plans to ask if the trees are a certain diameter and older than a certain date or age and if they are, then those trees in the plan should be disclosed. He indicated if this were done there would be a clear articulation of what is big and what is old and then deal with significant questions separately. Mr. Mason said that the Board needs to keep working on this issue.

Ms. Chantz Joyce, CLFA, said that CLFA is in support of the letter that was sent out by CDF. He indicated that the RPFs are the first determination of significance in regards to plans. He said for disclosures sake, just because the tree is big, does not make it significant.

Ms. Jodi Freidiani, reported that this issue was brought to the Board by a petition with the intention to work toward a cooperative approach to protect significant old growth. Currently the memo that was done by CDF does not accomplish the above. She explained that it was however, a step in the right direction, but these memos she felt still needs a lot of work. In addition, she said the language in the memo is ambiguous.

Mr. Jay Francis, Forest Manager, Collins Pine Company, Registered Professional Forester, commented that many people believe that no tree of a certain size or certain age should be cut. At no given time has the Board decided that an individual tree is significant just based upon its size or age. The intent is to protect trees of significant value and the memo that CDF sent out allows that definition of significance to be interpreted by the RPF, along with the guidance.

Mr. Lloyd Bradshaw, Hearst Corporation believes in the process and encouraged the Board to move on this action.

Chairman Dixon asked for an action.

Member Ryneanson asked the Chairman if the Board was adopting a response to the Heritage Tree position or was the Board adopting a policy statement on large old trees. He was not sure what context would frame any proposed action.

Member Bosetti agreed and said he was not sure what stance the Board took procedurally.

There was further discussion.

Member Nawi suggested that Committee recommendations be brought back to the full Board

Member Ryneanson said that this has been a carefully crafted document over a long period of time with a great deal of input. At this point he said he is hesitant to not stand by this and said this issue has been before the Board for almost 2 years.

05-03-10 -Member Ryneanson recommended that the Board adopt this report from the Forest Practice Committee with its findings on issues 1-5 as prepared and recommended that the Board strike the top two paragraphs associated with the bullet items because he believes those are informational for the Committee and do not really add anything to the final document. Member Ryneanson respectfully suggest that this would satisfy the necessity to finalize with the response to the Heritage Tree Petition and request that the final document be forwarded to the petitioner, Richard Gienger to satisfy that requirement. Member Bosetti seconded the motion.

Member Nawi commented that he was not happy with the content of the CDF letter and believed that it could be improved and said that the improvements would make it consistent with CEQA and essentially more effective carrying out the Department's and the Board's mission with regard to the implementation of both CEQA and Forest Practice Rules. He said that he was in acceptance of the Committee recommendation, but with a caveat that the Board review the Department letter before it went out and brought back to the full Board so that letter could go out with the approval of the Board, rather than having the letter go out in advance as is the case at the moment.

Member Rynearson said that he is going to stay with his original motion and he will then move into discussion as to why if he gets a second to the motion.

Chairman Dixon said that Member Rynearson made a motion and it takes precedent over Member Nawi's motion. He asked if there was a second to Member Rynearson's Motion.

Member Bosetti again, seconded the motion.

Member Rynearson clarified the letter. He said that it was a recommendation to CDF and there was a discussion in the Committee meeting at length with the Department. The Committee cannot tell the Department what to do. The Department is implementing the regulation based on their interpretation of the regulation and if the Committee has a policy statement that would help guide them then that would be fine. The Department is independent to interpret the regulation, as they understand it. Mr. Shintanku was very clear about that in the Committee meeting. Due to the above, Member Rynearson said he felt reluctant to review and re-write the CDF memo because he did not believe that the Board has the authority to do that. It is up to the Department and Director to make those types of interpretations. If there are future concerns, as to the effectiveness of that letter, then the Board can have a meeting under a separate discussion.

Chairman Dixon said that he is supportive of the recommendation, but he is also supportive of the Forest Practice Committee and sitting down and discussing the letter and seeing if Member Nawi's concerns can be accommodated.

Member Rynearson commented that as Chair of the Forest Practice Committee he would be happy to accommodate the Chairman's request, but outside of the motion.

Chairman Dixon asked if there was further discussion.

Member Nawi said that he is going to vote against the motion because it does not agree with the CDF guidance, which is the only substantive implementation that is proposed on this very significant issue.

There was further discussion.

The Chairman called for a roll call vote:

Bosetti	Aye
Drinkard	Aye
Rynearson	Aye
Nawi	Nay
Dixon	Aye

Motion passed by a four to one vote.

REPORT OF THE ADVISORY COMMITTEES

CALIFORNIA FOREST PEST COUNCIL

Mr. Scott Johnson distributed a publication entitled Forest Pest Conditions in California 2004 to all Board members. In addition, he distributed handouts on the joint tour in the Weed Committee on July 20 and 21, 2005.

RANGE MANAGEMENT ADVISORY COMMITTEE (RMAC)

Nothing to report.

MONITORING STUDY GROUP (MSG)

Mr. Pete Cafferata, went over the Monitoring Study Group update, which was included in the Board binder. The next MSG meeting was not scheduled, but tentatively, it is anticipated that it will occur in July at the Mendocino County Museum in Willits.

PROFESSIONAL FORESTERS EXAMINING COMMITTEE (PFEC)

Mr. Eric Huff, Executive Officer, Foresters Licensing, announced that the Registered Professional Foresters exam was held on April 15, 2005, and 32 out of 35 examinees did complete the exam.

Mr. Huff, announced that he received the Annual Report, 2004, Certified Rangeland Manager, which was in the Board binder, tab 11.

STANDING COMMITTEES OF THE BOARD

FOREST PRACTICE COMMITTEE (FPC)

Member Ryneanson said that the Committee met this morning and went over four agenda items. The Committee went over a proposal from the California Licensed Forest Association to address proposed changes to the general Forest Practice Rules and the threatened and impaired rules. The second issue was Class one designation for watercourses with endangered species verses those for domestic water usage. All of these items were covered. CDF was prepared to address this issue and came forward with a memo prepared by Mr. Chris Browder, who outlined the issues with the Committee.

It was agreed that all four of the issues had merit and would go forward with discussions. CDF agreed to meet and work with CLFA to try to come up with unified language and bring back in the next Committee meeting in July.

Member Ryneanson went over the Stewardship NTMP. (FLOC) held their meeting last week in Gualala. Member Ryneanson said that the Committee also went over the Heritage tree and the letter from Ms. Duggan. Regarding the transition Silviculture, the Committee voted based on a recommendation by the proponent of the transition Silviculture package to Mr. Roy Richards to request that the complete package be extended and held over to the June meeting and be voted on in July due to the inability of Mr. Richards to attend the meeting.

The other action item that was discussed was the to allow the Chair of the Forest Practice Committee to work with both CDF Staff and members of the public and the State Water Quality to finalize the language on the Road Management Plan and within the next two weeks bring that forward to a 45-Day Rule Package.

05-03-12 -Member Ryneanson made a motion to recommended that the Board adopt this report from the Forest Practice Committee with its findings on recommendation issues 1-5 as prepared and also made a motion to create a 45-Day action plan on the Road Management Plan and to also withhold the Transition Silviculture from the June Board meeting and move it to July. Member Bosetti seconded the motion and all were in favor.

POLICY MANAGEMENT COMMITTEE (PMC)

Member Nawi announced that in the absence of Member Marckwald, Member Nawi Chaired the meeting. The Committee had a discussion on Oak Woodlands and a letter that was received from the Wildlife Conservation Board. Mr. Eric Huff is writing a Joint Letter from the Board and the Fish and Game Commission. This letter would advise of the availability of funding under SB1334 and additionally put efforts in preservation in a favorable light to help diffuse some of the hostility, especially when it is based on lack of understanding.

The Committee had a discussion on Legislation. The Committee also went over a brief report on the status of a Policy Statement. At this time they are trying to have a hearing on the Board's Policy Statement on May 26, 2006. The idea was to put this item on the full Board agenda in June.

Member Nawi also went over a newspaper article in the Portland "Oregonian" regarding green timber certification in Oregon.

RESOURCE PROTECTION COMMITTEE (RPC)

Member Bosetti, Chairman of the RPC, went over the review of the draft regulations of the implementation of SB1369 and indicated that the Committee is coming close to the draft rule language. Member Bosetti also went over the summary review by Mr. Chris Zimny on the amendment of the City of Anaheim's general plan to fire protection areas.

Member Bosetti gave an updated report from the U.S. Forest Service. In addition, Dennis Covert, Aviation Unit gave the Committee an update on the air preparedness of the Forest Service Region five.

In the Advisory Committee report Mr. Dick Hayes, CDF Fire Safe Council liaison, reported that the grant clearinghouse has received 360 proposals requesting funds of 29 million dollars. Jeff Stephens, RMAC, provided the Committee with a report on the RMAC Committee. Their last meeting was held on April 19 and 20. The Primary focus of the meeting was to discuss the Vegetation Management Program. The Fire Focus Group is preparing a draft report that they wanted to review in a conference call in May with intent to have this report ready for submission to the Resources Protection Committee no later than the July Board meeting.

On the Vegetation Management Program, Jeff Stephens reported that the Department is working on initiating two contracts to deal with the VMP programmatic EIR

Member Bosetti reported that under new and unfinished business he gave an update on the status of the California Fire Plan Working group. Their next meeting is scheduled for May 12, 2005.

Member Bosetti reported on Mr. John Crane relative to the SRA 5 year review.

REPORT OF THE SENSITIVE WATERSHEDS NOMINATIONS REVIEW COMMITTEE (SWNRC)

Mr. George Gentry reported that the Committee would be having a meeting on May 10, 2005 in Eureka at the First American Title Company.

REPORT OF THE REGULATIONS COORDINATOR

Mr. Chris Zimny, Regulations Coordinator, went over the score card, which he distributed to all Board members. He further indicated that the hearing time extension was approved on the transition rule and will be pushed back to July 2005. No hearing will be held in San Bernardino on the regulations in June. AB2420 will be in July 2005.

REPORT OF THE EXECUTIVE OFFICER

Mr. George Gentry, Executive Officer for the Board, reported that he attended the Forest Land Owners of California, (FLOC). Mr. Gentry participated in a Panel on Regulatory Streamlining in Gualala. In addition, he received a letter from Secretary Chrisman regarding developing a protocol for reviewing perspective applications for the Certified Regulatory Programs.

Next month the Department will be having their 100-year Centennial. Mr. Gentry also indicated that he would be attending a class on CEQA on May 20, 2005. Additionally he will be attending a Forest Futures conference on May 23-24. On May 25 he will be attending the new State Forest Advisory Committee.

Mr. Gentry indicated that next months Board meeting agenda would be going out on May 27, 2005.

The Board will be departing from the Resources Building tomorrow at 8:00 am for the Soper Wheeler fieldtrip. The Joint meeting with Fish and Game will be May 5, 2005 at the Secretary of State's building commencing at 8:00 a.m.

PUBLIC FORUM: Members of the public may address the Board on any topic within its jurisdiction not otherwise on the agenda. Submittal of written comments is encouraged to ensure that all comments will be included in the record before the Board. Please be prepared to summarize comments to three minutes in length, or otherwise at the discretion of the Chairman.

Mr. Richard Gienger concurred with Executive Officer's observation on the FLOC workshop. He felt it was very important to follow-up on work that has been done for years on small landowners.

Mr. Bill Key, California Licensed Foresters, CLFA, distributed a flyer to all Board members on a course that CLFA was going to be giving on "Forestry 101 for Legislators and staff". This course will take place May 11, 2005 from 10: a.m. to noon or from 2pm to 4pm at the State Capitol, Room 115.

NEW AND UNFINISHED BUSINESS

Nothing to report.

ADJOURNMENT

The Chairman adjourned the May 2005 meeting of the Board.

Respectfully submitted,

ATTEST:

George D. Gentry
Executive Officer

Stan Dixon
Chairman

Copies of the attendance sheets can be obtained from the Board Office.

**BOARD OF FORESTRY AND FIRE PROTECTION
AND FISH AND GAME COMMISSION
JOINT MEETING**

MAY 5, 2005

COMMISSION MEMBERS PRESENT:

Jim Kellogg, President
Michael Flores, Vice President
Bob Hattoy, Member
Richard B. Rogers, Member

COMMISSION STAFF PRESENT:

Robert Treanor, Executive Director
Adrianna Shea, Executive Assistant

DEPARTMENT OF FISH AND GAME:

Paul Stine, Chief Deputy
Brian Arnold, Lieutenant

CALL TO ORDER

Mr. Jim Kellogg, President of the Fish and Game Commission called the Commission to order and introduced the Commission members.

Mr. Stan Dixon, Chairman of the Board of Forestry and Fire Protection, called the Board to order and introduced the Board members.

Mr. Jim Kellogg welcomed everyone to the Joint meeting and thanked the Board for putting together the field trip yesterday at Soper Wheeler.

REPORT OF EXECUTIVE SESSION

Chairman Dixon announced that the Board met late Tuesday afternoon and asked the Executive Officer to report any actions that were taken at that time.

Mr. George Gentry, Executive Officer for the Board announced that in the matter of Kevin Alley Civil Penalty case 04-05, the Board adopted the proposed decision of the Administrative Law Judge. The violations of operating without a timber operator's license was in the amount of ten thousand dollars. In the matter of Sandra Anderson Civil Penalty case #02-04, the fine was for operating without a valid harvest plan. The penalty was for seven hundred and fifty dollars. In the matter of Vernon Smith, Civil Penalty # 02-05, was fined for operating without a valid timber-harvesting plan, the proposed decision was in the amount of seven hundred and fifty dollars. In the matter of Ed Shields, Civil Penalty #02-02, the Board has not adopted the proposed decision and has ordered transcripts. Mr. Gentry deferred the next issue to Mr. Eric Huff.

Mr. Eric Huff, Executive Officer, Foresters Licensing, reported that in the matter of case # 305 the Board resolved that the RPF should receive a letter of concern. Allegations in the case include misrepresentation. PFEC was concerned with the RPF's actions and recommended that the letter of concern be posted expressing these concerns for the benefit of the RPF's in Forest Practice.

REPORT OF DIRECTOR, CALIFORNIA DEPARTMENT OF FISH AND GAME

Mr. Paul Stine, Chief Deputy, Fish and Game, went over the timber industry in California. He reported that it is one of the most heavily regulated industries in California and it has a higher standard in Resource Management than any place else in the world.

Mr. Stine reported that he was here today to talk about the private landowners that contribute to California when it comes to wildlife and fish. Mr. Stine asked how they were going to bridge the gap between growth potential in California on what we know is coming and also preserve wildlife and fish habitat, which is basically intertwined with forest landowners.

Mr. Stine reported that as time goes on we would be seeing a bigger and far-reaching use in conservation easements. As a past Planning Commissioner and Supervisor in a small rural county, he was continually faced with resource owners and developers who had needs in putting in new developments. Due to constraints within the general plan in those counties, they would carve out a certain section for mitigation for impacts in the growth of that development. Having gone through this process personally and now being a part of the Fish and Game and having the opportunity of visiting places like Los Gatos Wildlife Refuge, Grey lodge Wildlife Refuge and Rancho Jamul, which is under development at this time, he does see an opportunity on how his Department is going and how they are going to provide for conservation easements and hopefully see some conservations plans as they go forward.

The Department is very interested in working with conservation easements and continuing to work with natural community conservation plans and habitat conservation plans because it brings together a unique blend of state agencies, federal agencies, private landowners and total communities that can take a holistic approach on how they are going to manage growth and development in the future.

REPORT OF DIRECTOR, CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Mr. Bill Snyder, Deputy Director, Resource Management, Department of Forestry and Fire Protection, thanked the Department for working on some of the challenges that face the Department.

Mr. Snyder went over the meeting that was held last week on Coho Rules, which the Department is currently looking into and the potential impact of the THP permitting process. The Department is looking into streamlining implementation as those regulations come through the process. In addition, he reported that the Department has made some significant strides in that area within the THP process. The Department of Fish and Game has successfully used the Department of Forestry's timber harvesting plan for purposes under CEQA to issue 1600 permits, water drafting permits and other forms of documents which will also move forward in revisions of the current rule making process.

The Department has also been looking at performance-based standards. Additionally, they are struggling with what to do with small landowners. Small landowners do not have the resources and need the Department and the Board to look at these issues and work on how they can deal with performance based approaches.

There are concerns with the realization infrastructure and the number of saw mills that are decreasing. Mr. Snyder thinks it is an important piece of the overall puzzle in California in terms of maintaining working landscapes and maintaining ability for these landowners to market their products and remain competitive in terms of utilizing their lands for resource management purposes.

Mr. Snyder said that he looks forward in working with the Department, the Board and Commission and looking at solutions that will move us forward.

REPORT BY THE DEPARTMENTS REGARDING IMPLEMENTATION OF JOINT POLICY FIRE ACTIVITIES AND WILDLIFE HABITAT/UPDATE ON FUEL HAZARD REDUCTION MEASURES

Mr. George Gentry, Executive Officer, Board of Forestry, reported that as mentioned earlier the Board has a situation at the present time in California of an increasing population and that population is increasing the wildland urban interface. As these people move out into the wildland urban interface the Board is confronted with the possibilities of what happened in the 2003 fire siege. The safety of the public and fire fighters and the loss of homes was the most obvious. There is also the issue of the loss of the habitat from a catastrophic event, both riparian and terrestrial. This is mainly due to the previous practice of exclusion of fire and lack of management in some of those areas.

Mr. Gentry said that as some of these people move out into this wildland urban interface, more of our Departments resources are dedicated to protecting these structures rather than protecting against the loss of habitat. Mr. Gentry said that the first key in this issue is protecting those areas of wildland urban interface, so the best resources need to be utilized in that regard. The Board needs to think about how they can best avoid impacts to habitat.

Mr. Gentry went over the Joint Policy on Pre-, Post and During Fire, (item 2, paragraph E) and referred to the color printout that was distributed.

Mr. Marty Berbach, Department of Fish and Game reported that the Department of Fish and Game did not have a report on the Joint Fire Policy. Mr. Berbach did report that their regions are coordinating with CDF at the local level, but do not have statewide coordination as they did three years ago.

Mr. Mike Chrisman, Secretary of the Resources Agency said that he enjoys the ongoing relationship that the Department of Fish and Game have with the Board and the Department of Forestry. He also mentioned that he hopes the Joint meetings will continue in the future.

REPORT BY THE DEPARTMENTS REGARDING IMPLEMENTATION OF JOINT POLICY ON HARWOODS

Mr. Eric Huff, Executive Officer, Foresters Licensing reported that there were two handouts distributed. The first handout was from Mr. Al Wright, Executive Director from the Wildlife Conservation Board relative to the Joint Policy and his review of the Range Management Advisory Committees recommendation relative to Oak Woodlands and the other handout was from the Range Management Advisory Committee's report and recommendation.

Mr. Huff went over the issues from the Range Management Advisory Committee handout.

Mr. Huff also referenced Mr. Al Wright's response from the Wildlife Conservation Board in which he gave an update on his correspondence about where they are at with the implementation of the Oaks Woodland Conservation Act. The Act requires that the counties adopt an Oak Woodlands Management Plan in order to qualify for a grant funding through the act. Mr. Huff went over this report.

Mr. Wright does concur in his correspondence that under funding is a problem and that the lack of unilateral support for Oak Woodland Conservation is at the local level and is problematic for the success of the Acts objectives. Mr. Wright also said that lack of understanding is probably the biggest impediment.

Mr. Huff concluded that the Oak Woodlands issue is very complicated, but he believes that the Board has made considerable progress with the assistance of the Legislature and other Agencies.

Mr. Marty Berbach did not have anything to report on this issue.

PUBLIC COMMENT

Mr. Walt Manzell, representing the Rifle and Pistol Association said that there is no reason why private timberland owners should not be allowed to harvest mature trees on their property. He also said that everybody needs to take a holistic approach and it is important that agencies work together with private landowners.

Mr. Doug McCreery, Program Manager for the Integrated Hardwood Management Program, concurred with Mr. Huff's comment and is supportive of the RMAC recommendations. Mr. McCreery feels that monitoring is very important and in terms of the Joint Policy it states that county approaches to hardwood conservation will be monitored and its effectiveness will be evaluated. He does not think that has happened very well.

Member Nawi said that he feels that the Board and the Commission should put a joint letter together regarding the value of oak woodland preservation. This was discussed in the Board's Committee yesterday. Additionally, Member Nawi said that it could be a positive first step in outreach and putting a more positive reception on the values of Oak Woodlands and does not need to be a controversial item. He suggested that steps be put together to work such a letter in addressing what Mr. Al Wright has identified as one of the chief obstacles.

REPORT BY THE DEPARTMENTS REGARDING IMPLEMENTATION OF JOINT POLICY ON PACIFIC SALMON AND ANADROMOUS TROUT. REPORT BY DEPARTMENT OF FISH AND GAME ON THE COHO SALMON RECOVERY STRATEGY.

Ms. Gayle Newton, Department of Fish and Game reported that the Board and Commission last updated the joint policy on pacific salmon in 2001. She reported that the Department is recommending that the policy be updated and went over the issues on why it should be updated.

Ms. Newton reported that the Coho recovery team reconvened in March of this year. All member organizations were in attendance. The meeting was convened to update the plan and to provide input to the Department and to report on the recovery action.

Ms. Michelle Dias, California Forest Association, CFA, went over the vast amount of good work that forest landowners in this state do undercover to restore and manage wildlife in fish's habitat. Ms. Dias indicated that there is a wide array of voluntary recovery projects that have been implemented, as well as protection required under the forest practice rules. There is a standard realm of protection of water quality.

There was further discussion.

Mr. Richard Gienger distributed a timberland conversion handout to Board members and Commission. He emphasized the need to deal on a planning watershed programmatic basis.

Mr. Fabian Alvarado, Big Creek Lumber reported that they are concerned that despite their commitment to environmental protection they are not getting the credibility that they deserve from the Department of Fish and Game. He was specifically referring to the Coho recovery strategy. In December of 2003, Big Creek Lumber submitted a memorandum to the Commission that Coho is not native south of San Francisco. The Department responded that it did not pertain to the recovery strategy. He went over a petition that was rejected last February. He emphasized that unless the recovery strategy is going to change the climate, geology and ocean conditions south of San Francisco, it is not going to establish a self-sustaining population of Coho and in the process it is going to hurt a lot of people.

Commission Member Hattoy commented that the Commission respects what Big Creek is doing in their recovery plan and natural resource management. The commission is trying to move forward on this issue and look at the positive things that Big Creek is doing and the practice that they are trying to encourage and the work that is being done on the recovery team, but to say that the Department of Fish and Game is not giving Big Creek Lumber credit is unfair. He further said that just because the Commission does not agree with Big Creek does not mean that they are not listening.

Mr. Bob Burlage, Big Creek Lumber reported that they have been practicing forestry in the Santa Cruz Mountains since 1946. Big Creek was the first redwood production mill in the world to receive certification using principles and guidelines of the Forest Stewardship council. He went over the impacts of statewide broad base prescriptions and regulations on impacts that it has on their company. They are subject to the threatened and impaired watershed rules, even though they do single tree selective harvesting.

Ms. Jodi Freidiani, Santa Cruz Forest Management commended Big Creek on all their efforts they have done. She reported that Coho are native south of San Francisco, as a result of a specimen from the California Science Academy in San Francisco. Additionally, Ms. Freidiani went over the fish passage barriers. She reported that there is a need for more public education on habitat and fish passage barriers.

Mr. Bill Snyder, Deputy Director, Resource Management, Department of Forestry and Fire Protection said that he wanted to reinforce the field recommendations and believe that the policy statement does need to be revised. There are things that he would like to see that the Department and Commission should move forward on and one would include joint monitoring and interdepartmental monitoring and effectiveness of whatever measures should be put on from the ground up and get the project implemented. The Board needs to look at assessing trends and monitoring strategies. When the Board looks at this policy Mr. Snyder said it is important that they look at streamlining within the creative process. Anything that the Departments can do in streamlining this process will be important.

One of the most basic and fundamental pieces of that is using the THP process as the CEQA documentation in which other permitting processes can be achieved.

05-05-8 -Vice Chair Marckwald made a motion that the President of the Commission and Chairman of the Board of Forestry designate two members each from the respective Board and Commission to work with the Executive Officers and to bring back to the Board and Commission as soon as possible a revised policy for their consideration. Also to take note of Mr. Bill Snyder's ideas of including implementation recommendations or expansion of where they feel it is warranted and after receiving public comment of the revised policy that both the Board and Commission move as expeditiously possible to adopt this. Mr. Kellogg seconded the motion and all were in favor.

REPORT OF OTHER FEDERAL AGENCIES INCLUDING USDA FOREST SERVICE, US FISH & WILDLIFE SERVICE, AND US ENVIRONMENTAL PROTECTION AGENCY

Mr. Mike Chapel, U.S. Forest Service, said that he appreciates the integration efforts that have been made.

PUBLIC FORUM

Mr. Richard Gienger, commented on the personnel budget regarding the 1600 stream crossing issues. He said that adequate stream crossing is the key to recovering salmon and avoiding the denigration to habitat.

Mr. Steve Mathews, representing AGP Video (Fish and Game uses recording equipment from this company), came today to inform the Commission that today for the first time, this meeting was being recorded live on the intranet. He also indicated that they have lost their air space on the California channel. They are looking at pursuing more time on the California channel, but it is a lengthy process. For this reason they have been using the Web and it is available 24/7.

NEW AND UNFINISHED BUSINESS

Nothing to report.

Mr. Robert Treanor, Executive Director, Department of Fish and Game, encouraged the Board and the Commission to continue to come together as a joint body. He would like to see these meetings continue in the future. Mr. Treanor said that unless the Board and the Commission meet before the end of the year, this will be his last joint meeting because he will be retiring. He expressed his appreciation to the Board and Staff.

ADJOURNMENT

Chairman Dixon and President Kellogg called the Joint meeting of the Board of Forestry and Fire Protection and the Fish and Game Commission to a close.

Chairman Dixon
Respectfully submitted,

ATTEST:

George D. Gentry
Executive Officer

Stan Dixon
Chairman

Copies of the attendance sheets can be obtained from the Board Office.